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Attorney for Plaintiff

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

Lynette Doreen Carson,)	Case No. 1:21-cv-00508-EPG
)	
Plaintiff,)	ORDER RE: STIPULATION FOR
)	SECOND EXTENSION OF TIME
vs.)	
)	
Kilolo Kijakazi, Acting)	
Commissioner of Social Security,)	
)	
Defendant.)	
)	
)	
)	

IT IS HEREBY STIPULATED, by and between the parties through their respective counsel of record, with the Court's approval, that Plaintiff shall have a 60-day extension of time, from October 28, 2022 to December 27, 2022, for Plaintiff to serve on defendant with Plaintiff's Motion for Summary Judgment. All other dates in the Court's Scheduling Order shall be extended accordingly.

This is Plaintiff's second request for an extension of time. In the months of May through July 21, 2022, Counsel has received an influx of Social Security Certified Administrative Records (CAR). A review of the records received shows Counsel has received at least 50 CARs, the majority of which were filed in June 2022. This has caused an unusually large number of

1 cases that have merit briefs due in the months of August and September. For the months of
2 September and October 2022, we have received an additional 39 CARs.

3 For the weeks of October 24, 2022 and October 31, 2022, Counsel currently has 12 merit
4 briefs, and several letter briefs and reply briefs. Additional time is needed to thoroughly brief
5 this matter for the Court.

6 Also, as previously reported, Counsel for Plaintiff underwent major orthopedic surgery in
7 March 2022, requiring significant physical therapy. This has required Plaintiff's counsel to take
8 time off during the work week and work months since then. Although much improved, Counsel
9 still participates in regular physical therapy two to three times per week.

10 Lastly, Counsel for Plaintiff is currently taking partial leave as his child was born on
11 October 14, 2022. Thus, Counsel is working limited hours for the months of October and
12 December 2022.

13 Defendant does not oppose the requested extension. Counsel apologizes to the Defendant
14 and Court for any inconvenience this may cause.

15
16 Respectfully submitted,

17 Dated: October 27, 2022

PENA & BROMBERG, ATTORNEYS AT LAW

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19 By: /s/ Jonathan Omar Pena
JONATHAN OMAR PENA
Attorneys for Plaintiff

20
21 Dated: October 27, 2022

PHILLIP A. TALBERT
United States Attorney
MATHEW W. PILE
Associate General Counsel
Office of Program Litigation
Social Security Administration

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26 By: */s/ Mary Tsai
Mary Tsai
Special Assistant United States Attorney
Attorneys for Defendant
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28 (*As authorized by email on October 27, 2022)

ORDER

Based on the parties' stipulation (ECF No. 16), IT IS HEREBY ORDERED that Plaintiff shall file Plaintiff's motion for summary judgment no later than December 27, 2022. All other dates in the Court's scheduling order shall be extended accordingly.

IT IS SO ORDERED.

Dated: **October 28, 2022**

/s/ Eric P. Grogan
UNITED STATES MAGISTRATE JUDGE